

470
2644**Jenkins & Gilchrist**
A PROFESSIONAL CORPORATION225 WEST WASHINGTON
SUITE 2600
CHICAGO, ILLINOIS 60606(312) 425-3900
TELECOPIER (312) 425-3909

www.jenkins.com

FROM THE DESK OF:

Daniel J. Burnham
(636) 527-4906

AUSTIN, TEXAS

DALLAS, TEXAS

HOUSTON, TEXAS

LOS ANGELES, CALIFORNIA

SAN ANTONIO, TEXAS

WASHINGTON, D.C.

RECIPIENT

1. Customer Service Center
Office of Initial Patent
Examination

COMPANY

U.S. Patent and Trademark
Office

FAX NO.

(703) 308-7751
(703) 308-2840

PHONE NO.

RECEIVED

FEB 01 2002

Technology Center 2600

• MESSAGE •

U.S. Patent Application No. 09/966,176, filed September 28, 2001

Attached is a copy of the Filing Receipt. Please update the following data per the attached Declaration which was submitted to the PTO on November 6, 2001.

ErrorCorrect DataApplicants' Names
and AddressesElrick Lennaert Cornelius, Haarlem, The Netherlands
Paul Leonardus Clemens, Amsterdam, The Netherlands
Paul C. van Hal, Hoorn, The Netherlands
Mike Geskus, Purmerend, The Netherlands

Issuance of a Corrected Filing Receipt is requested.

NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile is

1. SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE;
2. ATTORNEY WORK PRODUCT; OR
3. CONFIDENTIAL.

It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is *unauthorized* and *strictly prohibited*. If you have received this facsimile in error, please notify Jenkins & Gilchrist, a professional corporation, by telephone at (312) 425-3900 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail, or if authorization is granted by the sender, destroyed.

Time: 9:30 AM Date: January 5, 2002

Emp. #: 4231

Billing #: 47161-
00026USPT

Total Pages (+ Cover): 7



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/966,176	09/28/2001	2644	1714	47161- 00026USPT	9	58	7

CONFIRMATION NO. 5504

FILING RECEIPT



OC000000006988942

Daniel J. Burnham
Jenkins & Gilchrist
1445 Ross Avenue
3200 Fountain Place
Dallas, TX 75202

Date Mailed: 10/29/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Elrick Lennaert Cornelius, Residence Not Provided;
Paul L. Clemens, Residence Not Provided;
Paul L. Van Hal, Residence Not Provided;
Mike Geskus, Residence Not Provided;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 10/26/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Microphone for a hearing aid or listening device with improved dampening of peak frequency response

Preliminary Class

381

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Jenkins & Gilchrist Cust No.: 23,932

PATENT APPLICATION
ATTNY. DOCKET NO.: 47161-00026USPT**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)
DECLARATION AND POWER OF ATTORNEY****FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MICROPHONE FOR A HEARING AID OR LISTENING DEVICE WITH IMPROVED DAMPENING OF PEAK FREQUENCY RESPONSE**, the specification of which: (mark only one)

- ☒ (a) is attached hereto.
☒ (b) was filed on September 28, 2001 as Application Serial No. 09/966,176 and was amended on _____ (if applicable)
 _____ (c) was filed as PCT International Application No. PCT/_____ on _____ and was amended on _____ (if applicable).
 _____ (d) was filed on _____ as Application Serial No. _____ and was issued a Notice of Allowance on _____
 _____ (e) was filed on _____ and bearing attorney docket number _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day/</u> <u>Year Filed</u>	<u>Date first laid-</u> <u>open or</u> <u>Published</u>	<u>Date</u> <u>patented or</u> <u>Granted</u>	<u>Priority Claimed</u>	
					<u>Yes</u>	<u>No</u>

NONE

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

Jenkins & Gilchrist Customer No.: 23,932

PRIOR U.S. OR PCT APPLICATIONSNONE

(Application Serial No.)

(Filing Date)

(Status)

I hereby appoint:

TIMOTHY G. ACKERMANN, Reg. No. 44,493
 BENJAMIN J. BAI, Reg. No. 43,481
 JOSEPH M. BEAUCHAMP, Reg. No. 46,544
 MARY LO ROLDINGH, Reg. No. 34,713
 MARGARET A. ROUHWARE, Reg. No. 28,703
 DANIEL J. BURNHAM, Reg. No. 40,618
 THOMAS L. CANTRELL, Reg. No. 20,840
 RONALD B. COOLLEY, Reg. No. 27,187
 THOMAS L. CRISMAN, Reg. No. 24,846
 STUART D. DWORK, Reg. No. 31,103
 WILLIAM F. ESSEK, Reg. No. 35,033
 ROGER J. FRENCH, Reg. No. 27,780
 JANET M. GARBITO, Reg. No. 42,568
 MARK GATSCHET, Reg. No. 42,569
 JOHN C. GATZ, Reg. No. 41,774
 RUSSELL J. GENET, Reg. No. 42,571
 GERALD H. GLANZMAN, Reg. No. 25,035
 LEKHA GOPALAKRISHNAN, Reg. No. 46,733
 J. KEVIN GRAY, Reg. No. 37,141
 KEITH P. GRAY, Reg. No. 46,738
 STEVEN R. GREENFIELD, Reg. No. 38,106

JOSHUA A. GRISWOLD, Reg. No. 46,310
 J. PAT HEPTIG, Reg. No. 40,643
 JOHN B. HYATT, Reg. No. 43,421
 SHARON A. ISRAEL, Reg. No. 41,867
 JOHN R. KIRK JR., Reg. No. 24,411
 PAUL R. KITCH, Reg. No. 38,206
 TIMOTHY M. KOWALSKI, Reg. No. 44,192
 JAMES F. LRA III, Reg. No. 41,143
 HSIN-WEI LUANG, Reg. No. 44,213
 ROBERT W. MASON, Reg. No. 47,848
 ROGER L. MAXWELL, Reg. No. 31,855
 LISA H. MEYERHOFF, Reg. No. 36,860
 STANLEY R. MOORE, Reg. No. 26,958
 RICHARD J. MUUKA, Reg. No. 34,883
 P. WESTON MUSSELMAN JR., Reg. No. 31,544
 RAMNATH, Reg. No. 27,072
 DANIEL G. NGUYEN, Reg. No. 42,933
 MICHAEL K. NITTEK, Reg. No. 44,979
 SPENCER C. PATTERSON, Reg. No. 43,549
 CONSTANCE L. PIELERCH, Reg. No. 46,001
 RUSSELL N. RITTMONTI, Reg. No. 39,521

ROSS T. ROBINSON, Reg. No. 47,031
 STEPHEN G. RUDNICK, Reg. No. 20,087
 HOLLY L. RUDNICK, Reg. No. 43,065
 J.L. JENNIE GALAZAR, Reg. No. 45,065
 KEITH W. SAUNDER, Reg. No. 41,462
 JERRY R. SELINGER, Reg. No. 20,502
 JAMES O. SKAKSEN, Reg. No. 28,346
 ZACHARY J. SMOLINSKI, Reg. No. 47,100
 GARY B. SOLOMON, Reg. No. 44,347
 JUSTIN SWINDELLS, Reg. No. 48,733
 STEVE Z. SZCZEPANSKI, Reg. No. 27,957
 ANDRE M. SZUWALSKI, Reg. No. 35,701
 ALAN R. THELE, Reg. No. 30,604
 TAMSEN VALOIR, Reg. No. 41,117
 BRIAN D. WALKER, Reg. No. 37,731
 GERALD T. WELCH, Reg. No. 30,332
 HAROLD N. WELLS, Reg. No. 20,044
 WILLIAM D. WIESE, Reg. No. 45,217

all of the firm of JENKENS & GILCHRIST, a Professional Corporation, 1445 Ross Avenue, Suite 3200, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

Daniel J. Burnham, Esq.
 Jenkins & Gilchrist, P.C.
 1445 Ross Avenue, Suite 3200
 Dallas, Texas 75202-2799
 312/425-3900
 214/855-4300 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Jenkins & Gilchrist Cust. No.: 23.932

NAMED INVENTOR(S)

1 Elrick Lennaert Cornelius  October 9th, 2001
Full Name Inventor's Signature Date

General Cronjestraat 160 rd

2021 JN Haarlem


The Netherlands

Residence (city, state, country)

The Netherlands

Citizenship

Post Office Address (include zip code)

2 Paul Leonardus Clemens  October 9th, 2001
Full Name Inventor's Signature Date

Magnoliastraat 30

1031 VD Amsterdam

The Netherlands

Residence (city, state, country)

The Netherlands

Citizenship

Post Office Address (include zip code)

3 Paul C. van Hal  October 9th, 2001
Full Name Inventor's Signature Date

Cole Porterhof 61

1628 TJ Hoor

The Netherlands

Residence (city, state, country)

The Netherlands

Citizenship

Post Office Address (include zip code)

Jenkins & Gilchrist Cust. No.: 23,932

4 Mike Cieskus  October 9th, 2001
Full Name Inventor's Signature Date

Barbadosstraat 82
1448 TD Purmerend
The Netherlands

Residence (city, state, country)

The Netherlands
Citizenship

Post Office Address (include zip code)